


6-19-06

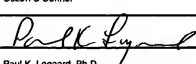
PTO/SB/21 (09-04)

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	<b>TRANSMITTAL FORM</b>	
	Application Number	10/078,949
	Filing Date	February 22, 2002
	First Named Inventor	Stanley T. Crooke
	Art Unit	1635
Examiner Name		Sean McGarry
Attorney Docket Number		ISIS0002-103 (ISIS-5027)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Forms PTO SB/08a and SB/08b (2 pp.); (12) References Cited, (0) References Enclosed.
<b>Remarks</b> <b>EXPRESS MAIL LABEL NO: EV514686517US</b> <b>DATE OF DEPOSIT: 16 JUNE 2006</b> <b>EV514686517US</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Cozen O'Connor		
Signature			
Printed Name	Paul K. Legaard, Ph.D.		
Date	16 JUNE 2006	Reg. No.	38,534

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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DOCKET NO: ISIS0002-103 (ISIS-5027)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Stanley T. Crooke**

Serial No.: **10/078,949**

Group Art Unit: **1635**

Filing Date: **February 20, 2002**

Examiner: **Sean McGarry**

For: **Oligoribonucleotides and Robonucleases for Cleaving RNA**

EXPRESS MAIL LABEL NO: **EV514686517US**

DATE OF DEPOSIT: **16 JUN 2006**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Forms SB/08A and SB/08B, formerly known as PTO Form 1449, submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made.

**This Supplemental Information Disclosure Statement is being filed:**

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☐ before the mailing date of a first Office Action on the merits.
- ☒ before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under § 1.114.
- ☐ after the mailing date of a first Office Action on the merits or after the filing of a Request for Continued Examination under § 1.114, but before the mailing

date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:

☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);

or

☐ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or

☐ No fee is owed by the applicant(s).

☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with the ☐ first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.

☐ after the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously with, the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), and the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p).

☒ Copies of the references listed on the attached PTO Forms SB/08A and SB/08B, formerly known as PTO Form 1449, are not enclosed.

**EXCEPT THAT:**

☐ In view of the voluminous nature of references, and the likelihood that these reference are available to the Examiner, copies are not enclosed herewith.

☒ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) 09/479,783 for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

**Statement under 37 C.F.R. § 1.97(e)**

☐ The undersigned attorney hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 C.F.R. § 1.704(d)**

- ☐ The undersigned attorney hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and the communication was not received by any individual designated in §1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement.

**Fees**

- ☒ No Fee is owed by the applicant(s).
- ☐ The Supplemental Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The Petition Fee of \$130.00 under 37 C.F.R. § 1.17(i)(1) is enclosed herewith.

**Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$ \_\_\_\_\_. This form is submitted in duplicate.
- ☐ Charge Deposit Account No. 50-1275 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b).

Respectfully submitted,



**Paul K. Legaard, Ph.D.**  
Registration No. 38,534

Dated: 16 JUNE 2006

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PTO/SB/08a (08-03)

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

### Complete If Known

Application Number	10/078,949
Filing Date	February 20, 2002
First Named Inventor	Stanley T. Crooke
Art Unit	1635
Examiner Name	Sean McGarry
Attorney/Agent Number	ISIS0002-103 (ISIS-5027)

### U.S. PATENT DOCUMENTS

Examiner Initials* /SM/	Cite No. <sup>1</sup>	Document Number		Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)				
/SM/	AA	US-5,898,031		04-27-1999	Crooke et al.	
	AB	US-6,849,726		02-01-2005	Usman et al.	
		US-				
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### FOREIGN PATENT DOCUMENTS

Examiner Initials* /SM/	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)					
/SM/	AC	WO 97/46570		12-11-1997	ISIS Pharm		
	AD	WO 00/63364		10-26-2000	Am Home Products		
	AE	DE 101 00 588		07-18-2002	Ribopharma		
	AF	EP 339842		11-02-1989	Ajinomoto Co.		
	AG	WO 93/07883		04-29-1993	ISIS Pharm.		
/SM/							

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, this indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

### Complete if Known

Application Number	10/078,949
Filing Date	February 20, 2002
First Named Inventor	Stanley T. Crooke
Art Unit	1635
Examiner Name	Sean McGarry
Attorney Docket Number	ISIS0002-103 (ISIS-5027)

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/SM/	AF	Hamilton et al., "A species of small antisense RNA in posttranscriptional gene silencing in plants," <i>Science</i> (1999) 286(5441):950-952.	
/SM/	AG	Hunter, "Genetics: a touch of elegance with RNAi," <i>Current Biology, Current Science</i> (1999) 9(12):R440-R442.	
/SM/	AH	Kumar et al., "Antisense RNA: function and fate of duplex RNA in cells of higher eukaryotes," <i>Microbiology and Molecular Biology Reviews</i> (1998) 62(4):1415-1434.	
/SM/	AI	Opalinska et al., "Nucleic-acid therapeutics: basic principles and recent applications," <i>Nature Reviews</i> (2002) 1:503-514.	
/SM/	AJ	Milligan et al., "Current concepts in antisense drug design," <i>J of Medicinal Chemistry</i> (1993) 36(1):1923-1927.	

Examiner Signature	/Sean McGarry/	Date Considered	10/09/2007
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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